

HOUSE BILL No. 1513

DIGEST OF INTRODUCED BILL

Citations Affected: IC 9-13-2; IC 9-19-1-5.5; IC 9-21-0.5; IC 9-25-4-7; IC 9-26-2.

Synopsis: Proof of financial responsibility for vehicles. Makes it a Class C infraction for an operator of a motor vehicle who is: (1) stopped by a police officer for a moving traffic offense; or (2) involved in an accident investigated by a law enforcement officer that results in death or injury or property damage of \$1,000 or more; to fail to submit to the officer proof of financial responsibility regarding the motor vehicle. Requires a law enforcement officer who investigates a motor vehicle accident that results in personal injury or death or property damage of \$1,000 or more to submit certain information, if possible, concerning proof of financial responsibility information to the state police. Requires the bureau of motor vehicles to adopt rules concerning proof of financial responsibility. Makes conforming amendments.

Effective: Upon passage; July 1, 2005.

Hoy

January 18, 2005, read first time and referred to Committee on Insurance.

C
o
p
y



First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

HOUSE BILL No. 1513

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 9-13-2-110 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 110. "Moving traffic
3 offense", for purposes of **IC 9-19-1-5.5**, **IC 9-21-0.5-1**, IC 9-25-9-1,
4 and IC 9-30-3-14, has the meaning set forth in IC 9-30-3-14(a).
5 SECTION 2. IC 9-13-2-127 IS AMENDED TO READ AS
6 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 127. (a) "Police officer"
7 means, except as provided in subsection (b), the following:
8 (1) A regular member of the state police department.
9 (2) A regular member of a city or town police department.
10 (3) A town marshal or town marshal deputy.
11 (4) A regular member of a county sheriff's department.
12 (5) A conservation officer of the department of natural resources.
13 (b) "Police officer", for purposes of **IC 9-19-1-5.5** and IC 9-21,
14 means an officer authorized to direct or regulate traffic or to make
15 arrests for violations of traffic regulations.
16 SECTION 3. IC 9-19-1-5.5 IS ADDED TO THE INDIANA CODE
17 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY



C
o
p
y

1, 2005]: **Sec. 5.5. (a) A person who is stopped by a police officer for a moving traffic offense in violation of this article must show proof of financial responsibility to the police officer in the manner required under IC 9-25-4-7.**

(b) A person who violates this section commits a Class C infraction.

SECTION 4. IC 9-21-0.5 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]:

Chapter 0.5. Requirement to Show Proof of Financial Responsibility

Sec. 1. (a) A person who is stopped by a police officer for a moving traffic offense in violation of:

- (1) IC 9-21-5;**
- (2) IC 9-21-6;**
- (3) IC 9-21-7;**
- (4) IC 9-21-8;**
- (5) IC 9-21-9;**
- (6) IC 9-21-10;**
- (7) IC 9-21-11;**
- (8) IC 9-21-12;**
- (9) IC 9-21-13; or**
- (10) IC 9-21-14;**

must show proof of financial responsibility to the police officer in the manner required under IC 9-25-4-7.

(b) A person who violates this section commits a Class C infraction.

SECTION 5. IC 9-25-4-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: **Sec. 7. Proof of financial responsibility when required under IC 9-19-1-5.5, IC 9-21-0.5-1, under this article, or IC 9-26-2-1.5 may be given by any of the following methods:**

- (1) Proof that a policy or policies of motor vehicle liability insurance have been obtained and are in full force and effect.**
- (2) Proof that a bond has been duly executed.**
- (3) Proof that deposit has been made of money or securities.**

The bureau shall adopt rules under IC 4-22-2 to determine the manner in which proof of financial responsibility must be shown by an operator of a motor vehicle when required under IC 9-19-1-5.5, IC 9-21-0.5-1, this article, or IC 9-26-2-1.5.

SECTION 6. IC 9-26-2-1.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2005]: **Sec. 1.5. (a) A law enforcement officer performing an**

**C
o
p
y**



1 investigation under section 1 of this chapter shall request proof of
 2 financial responsibility with respect to each vehicle involved in the
 3 accident from the operator of each motor vehicle involved in the
 4 accident.

5 (b) A motor vehicle operator who fails to show proof of financial
 6 responsibility in the manner required under IC 9-25-4-7 to an
 7 investigating officer upon request under subsection (a) commits a
 8 Class C infraction.

9 SECTION 7. IC 9-26-2-2 IS AMENDED TO READ AS FOLLOWS
 10 [EFFECTIVE JULY 1, 2005]: Sec. 2. A law enforcement officer shall
 11 forward a written report of each accident investigated under section 1
 12 of this chapter to the state police department within twenty-four (24)
 13 hours after completing the investigation. The report must contain, if
 14 possible, the following information:

15 (1) The name and address of the owner and operator of each
 16 vehicle involved in the accident.

17 (2) The license number and description of each vehicle involved
 18 in the accident.

19 (3) The time and place the accident occurred.

20 (4) The name and address of each person injured or killed in the
 21 accident.

22 (5) The name and address of each witness to the accident.

23 (6) Proof of financial responsibility shown by the operator
 24 and, if different, the owner of each vehicle involved in the
 25 accident, as presented by the operator of each vehicle.

26 SECTION 8. [EFFECTIVE UPON PASSAGE] (a)
 27 Notwithstanding IC 9-25-4-7, as amended by this act, the bureau
 28 of motor vehicles shall determine the manner in which proof of
 29 financial responsibility must be shown by an operator of a motor
 30 vehicle when required under IC 9-19-1-5.5, IC 9-21-0.5-1, IC 9-25,
 31 or IC 9-26-2-1.5 under interim written guidelines approved by the
 32 commissioner of the bureau of motor vehicles.

33 (b) The interim written guidelines approved and used under this
 34 SECTION expire on the earlier of the following:

35 (1) The date rules are adopted under IC 9-25-4-7, as amended
 36 by this act.

37 (2) December 31, 2006.

38 SECTION 9. An emergency is declared for this act.

C
o
p
y

